

UNAPPROVED - DRAFT

**VIRGINIA BOARD of LONG-TERM CARE ADMINISTRATORS
BOARD MEETING MINUTES**

Tuesday, January 9, 2007

**Department of Health Professions
6603 West Broad Street
Richmond, Virginia 23230-1712
Conference Room 3**

CALL TO ORDER: The meeting of the Virginia Board of Long-Term Care Administrators was called to order at 9:50 a.m.

PRESIDING: Mary Blunt, N.H.A.

MEMBERS PRESENT: Melanie Becker
Kathleen Fletcher, M.S.N.
Martha H. Hunt, A.L.F.A.
Mary Smith, N.H.A.

MEMBERS ABSENT: Andrea Fricke
Ted LeNeave, N.H.A.
Charlotte McNulty, P.C.
Bertha Simmons, N.H.A.

STAFF PRESENT: Lisa R. Hahn, Executive Director
Sandra Whitley Ryals, Director, Dept. of Health Professions
Catherine Chappell, Administrative Staff Assistant
Rai Minor, Discipline Operations Manager

COUNSEL PRESENT: Amy Marschean, Assistant Attorney General

QUORUM: With five members of the Board present, a quorum was established.

PUBLIC COMMENT: None.

APPROVAL OF MINUTES: Ms. Smith moved to approve the Minutes of the Board Meeting held on October 31, 2006. The motion was seconded and passed.

Ms. Smith moved to approve the Minutes of the Joint Meeting of the Board and Task Force held on October 31, 2006. The motion was seconded and passed.

PRESENTATION ON DSS' NEW ALF REGULATIONS FROM THE DEPARTMENT OF SOCIAL SERVICES Ms. Lynn Williams, Department of Social Services, presented a summary of proposed regulation 22 VAC 40-72, which has been developed to address additional requirements for assisted living facilities. She noted that due to public comment, the regulation had been revised to delete the standards on risk management, quality

improvement, and high risk behavior previously included in the published proposed regulation. Additionally, details were omitted from several standards so that the requirements would be broader and less prescriptive, including standards related to incident reports, staffing, and mental health evaluation. She noted that revisions were also made to assure compliance with regulations of other state agencies.

The Board expressed concern over the elimination of the quality improvement measures, noting that staff training and incident training would be a proactive approach. Ms. Williams noted that risk assessment training was anticipated to be provided in Fall 2007.

Additionally, the Board requested that the regulations be provided to Assisted Living Facilities.

**REMARKS BY SANDRA
WHITLEY RYALS,
DIRECTOR OF THE
DEPARTMENT OF
HEALTH PROFESSIONS:**

Ms. Ryals introduced herself and thanked the Board for the opportunity to address them. She gave a synopsis of her background in state government, discussed recent changes in leadership in the agency, and introduced Amy Marschean as a new attorney general assigned to the agency. Ms. Ryals noted that recruitment of Board leadership had been successfully completed and that Ms. Hahn was fully transitioned into the Executive Director role with the Board.

Ms. Ryals reviewed the key issues that she is addressing:

- Governor's Health Reform Commission, charged with improving access to healthcare, strengthening long term care, improving quality and safety, encouraging healthy lifestyles, and growing the healthcare workforce. She provided the Board with the Governor's media announcement for their reference.
- Accountability and excellence in state agencies, including strategic planning and performance measures, noting that the emphasis for DHP would be:
 - 1) Achieve and maintain high customer service satisfaction ratings from individuals applying for licensure,
 - 2) Investigate and process cases relating to patient care within 250 days, and

3) Promptly process applications for initial licenses

- Launch of “2 – 1 – 1” initiative, whereby the public can obtain free licensee information by telephone
- Change in location. Ms. Ryals advised that the agency will be moving in late summer 2007 to another location as part of a Governor’s initiative to increase efficiency through co-location of several state agencies.

REPORT ON NAB ANNUAL MEETING:

Ms. Hahn reported that she and Ms. Fricke represented the Board at the NAB Annual Meeting in Florida. She noted that an update on licensing ALF administrators was given, and that several states have begun to license ALF administrators.

Ms. Smith inquired as to Virginia’s rate of turnover of Long Term Care Administrators as compared with other states. Ms. Hahn noted that she would request this information from the National Association of Boards of Examiners of Long Term Care Administrators and, if available, would provide at a future meeting.

REPORT ON THE NURSING FACILITY ADVISORY COMMITTEE

Ms. Smith advised that the Committee discussed the lack of training in critical thinking skills generally seen in new RN’s and LPN’s completing the State’s nursing programs. She noted that the Committee proposed requiring the nurses to take two classes in critical thinking skills as well as utilizing preceptors in the buildings to allow students to use critical thinking in a supervised atmosphere.

Ms. Smith noted that the disposal of narcotics and medication handling was also discussed at the meeting. The Committee is awaiting further guidance on how to handle the issue.

With respect to turnover of administrators, Ms. Smith advised that the Virginia Health Quality Collaborative Study found that 2/3’s of the facilities have experienced administrator turnover. In light of this information, the comparison of Virginia’s turnover rate to other states would be of interest.

CONTINUING EDUCATION

Mr. Sammy Johnson, Deputy Director of Enforcement,

AUDIT PLANS

advised that an audit of LTCA licensees was performed two years ago. He noted that many of the boards are now transitioning responsibility of continuing education plan audits to the boards. He asked for the Board's direction and desire to perform an audit after the licensing year ends. He noted that the typical audit for a board is 2 – 5% of licensees to provide statistically significant results.

The Board discussed possible audit of 5% and of those who have not complied in the past. Additionally, Ms. Blunt proposed that the Board audit licensees under investigation to provide ongoing review. The Board agreed to table the matter for further discussion at the next Board meeting.

ENFORCEMENT UPDATE:

Ms. Faye Lemon, Director of Enforcement, updated the Board on the investigation work load, noting that 17 LTCA cases are currently open. She noted that this number was anticipated to increase due to the pending licensure of Assisted Living Facility Administrators. She noted that complaints are obtained from the consumer, the Agency and other governmental agencies. She explained that each case is prioritized based upon the magnitude of the situation.

EXECUTIVE DIRECTOR'S REPORT:

Staff Changes: Ms. Hahn introduced Ms. Rai Minor who has been hired as the Discipline Operations Manager for the Board. Ms. Minor joins Ms. Annie Artis who is serving as the Licensing Operations Manager. Recruitment is underway for an Administrative Assistant.

State Jurisprudence Examination for NHA-PCS. Ms. Hahn advised that questions were formulated in September of 2006 and are still in need of review. She indicated that approximately two to four hours are needed for the item review. Linda Kellner with PCS has requested that a meeting be scheduled with Mary Blunt and Andrea Fricke sometime in March to conduct the review.

National Examination for ALFA. Ms. Hahn noted that she is working with Mr. Mark Monson regarding procurement for the NAB examination process and would be providing the necessary justification to obtain sole source procurement approval.

State Jurisprudence Examination for ALFA. Ms. Hahn advised that a request for proposal will be developed and will be sent out to various testing agencies for the development and administration of the State Jurisprudence Examination.

Advisory Letters. Ms. Hahn announced that a new option is available for the Special Conference Committee when they review cases. Effective January 1, 2006, whenever a committee has concluded that a disciplinary proceeding will not be instituted, the board may send an advisory letter to the person who was the subject of the complaint or report. The board may also inform the complainant that an investigation has been conducted and concluded without a disciplinary proceeding and, if appropriate, an advisory letter from the board has been communicated to the person who was the subject of the complaint.

Regulatory State on ALFA Regulations. Ms. Hahn advised that the proposed regulations approved at the October 31, 2006, board meeting have been submitted to the Secretary's office for finalization. She noted that the anticipated effective date for these regulations are July 1, 2007.

Regulatory Stage on PPG Regulations. Ms. Hahn noted that a NOIRA had been published regarding the Public Participation Guidelines regulations. Public comment will be accepted until February 21, 2007.

Revenue and Expenditure Summary. Ms. Hahn presented revenue and expenditure summaries for the Board for September, October, and November 2006. The Finance Department had initially sent out an incorrect September 30, 2006 financial statement with a cash balance of \$59,793. They discovered the error and sent out a revised statement reflecting a cash balance of \$65,071. As of October 31, 2006, the cash balance was \$58,089. As of November 30, 2006, the cash balance was \$45,153.

ADJOURNMENT:

With all business concluded, the Board adjourned at 1:00 p.m.

**Virginia Board of Long-Term Care Administrators
Board Meeting
January 9, 2007**

Mary Blunt, NHA, Acting Chair

Lisa R. Hahn, Executive Director

Date

Date